

Notice of Allowability

Application No.

09/827,742

Examiner

Jeffrey C Pwu

Applicant(s)

LU ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/19/2005.
2. ☒ The allowed claim(s) is/are 1-7,10-17,19-21,23 and 24.
3. ☒ The drawings filed on 12/13/04 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Allowable Subject Matter

1. Claims 1-7, 10-17, 19-21, and 23-24 are allowed.
2. The following is an examiner's statement of reason for allowance:

The present invention is directed to a method and system for performing priority-based flow control.

Claim 1 identifies an uniquely distinct feature "reconciling two separate application sessions requesting the use of the same reserved network address of the second type and the first port while at least the first port associated with one of the application sessions is not replaceable; and recognizing by the DPM server, data packets received for the two application sessions if both request the use of the first port, while neither of which is replaceable";

Claim 12 identifies an uniquely distinct feature "instructions for recognizing, by the DPM server, data packets received for two separate application sessions requesting the use of the same reserved network address and the first port while neither of which is replaceable by using the network address and port for the computer outside of the first network to distinguish each application session"; and

Claim 20 identifies an uniquely distinct feature "reconciling two separate application sessions requesting the use of the same reserved network address and the first port while at least the first port while at least the first port associated with one of the

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application session is not replaceable by using the network address and the port for the computer outside of the first network to distinguish each application session” .

The closest prior art, Bhatia et al. (U.S. 6,563,824) relates to an apparatus and method for determining the correct workstation within a LAN for a LAN modem to route a packet, Gbadegesin (U.S. 6,754,709) describes an application programming interface and generalized network address translator for intelligent transparent application gateway process, Rao (U.S. 6,535,511) discloses a method and system for identifying address information embedded address information in a packet for translation between disparate addressing systems, Border et al. (U.S. 2002/0133596) discloses a method and apparatus for enhancing the performance of a network by performing selective spoofing, and Monlitor (U.S. 6,661,799) discloses a method and apparatus for facilitating peer-to-peer application communication, whether taken alone or in combination fails to anticipate or render the above underline.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

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3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey C. Pwu whose telephone number is 571-272-6798.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



7/4/05
JEFFREY PWU
PRIMARY EXAMINER